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Pa. dumping is criminal

By JIM EAST

The systematic dumping of hazardous wastes in coal mines 70 miles south of Binghamton has led a Pennsylvania grand jury to recommend criminal charges against a transport company and 11 individuals.

The grand jury's report released Tuesday centers on the activities of Hudson Oil Refining Corp. of Edgewater, N.J.

The same corporation was fined \$50,000 by New York state last Thursday for illegally transporting hazardous wastes through Binghamton on Interstate 81 and through other areas of the state.

Hudson is also being investigated by federal authorities for possible false cargo declarations made at the Canadian border. The state grand jury made no mention of inter-country shipments, but did allege Hudson had falsified New Jersey waste manifest forms.

The grand jury, a statewide panel investigating public corruption and organized crime, alleged Hudson and the individuals created the risk of a major explosion and health hazard by dumping "millions of gallons" of hazardous and toxic wastes into the abandoned mines.

The jurors recommended charges of conspiracy, risking a catastrophe, reckless endangerment, causing or creating a public nuisance and violations of the Pennsylvania Clean Streams Act. Steve Rosenfeld, a state attorney general's office spokesman, said charges would be filed within 10 days in Scranton, Pa.

Rosenfeld said the alleged crimes were covered by Pennsylvania's organized crime statute. He said the statute requires "a conspiracy that involves a large economic crime."

The investigation began in September after environmental authorities discovered hazardous wastes and oil spilling into the Susquehanna River from a mine shaft near Pittston, Pa., a Scranton suburb.

Surveillance and scientific testing showed the wastes were being dumped into the mines through a borehole at Highway Auto Service Garage, a garage near the intersection of I-81 and Route 315 in Pittston Township, according to the grand jury.

The wastes, which continue to flow into the river, include carcinogens, cyanide and chemicals known to cause chromosome breaks and birth defects. Federal authorities are studying how to control the flow and how to determine how much of the wastes remain in the mines.

Besides Hudson Oil, the grand jury recommended criminal charges against Russell Mahler, president of Hudson; Elmo "Terry" Seatena, the garage owner; Seatena's two sons, Louis and Jerry; two dispatchers at Hudson's facilities in Edgewater and Syracuse; and five tank-truck drivers employed by Hudson.

The extent of the dumping activities was emphasized by the grand jury in its 12-page presentation to the Pennsylvania Court of Common Pleas at Philadelphia.

"At times there were so many trucks waiting to dump at the borehole that the drivers drove up and down Route 315 to avoid having too many trucks parked in the station," the grand jury stated.

A statement by the Pennsylvania attorney general, which headed up the probe, added:

"The presence of the chemicals was in such intensity that a U.S. Environmental Protection Administration consultant said readings of 10 percent higher would have resulted in the recommendation of an area evacuation.

"Additionally, the consultant said the highly combustible mixture could have caused an explosion powerful enough to have caused buildings and homes to collapse, and fuel indefinitely an underground fire in the mine."

The New York State Department of Environmental Conservation revoked Hudson's license to transport waste oil June 8, and then returned it last week after the company paid a fine. Hudson, the largest oil reprocessing firm in New York, has never had a license to transport hazardous or toxic wastes, state officials said.

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File Hudson Oil

Syracuse man held in dumping

HARRISBURG, Pa. (UPI) — Pennsylvania authorities Wednesday announced the arrest of a Syracuse man in the alleged disposal of millions of gallons of hazardous, toxic wastes in a Pittston borehole.

Attorney General Edward G. Biester Jr. said Harry Sutton of Jamesville, a supervisor for the Hudson Oil Refining Corp. of Edgewater, N.J., was arrested on a criminal complaint charging him with risking a catastrophe, causing a public nuisance, violation of Pennsylvania's Clean Streams Law and three counts of conspiracy.

Biester said Sutton, as supervisor of Hudson's Syracuse facility, directed tank truck drivers to transport and dispose of their cargoes of hazardous and toxic wastes at the Pittston site.

The complaint charged Sutton with withdrawing \$200 on each occasion to give to the drivers who, in turn, would pay the owner of the site where the borehole was located.

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